

Waltham City Council  
Minutes of the Meeting of  
September 25, 2023

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President McMenimen called the meeting to order at 7:30 p.m.

Present: Councillors Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal, and President McMenimen.

Absent: Katz.

City Clerk Vizard recited the Council Prayer followed by President McMenimen leading all present in the Pledge of Allegiance. Councillor Durkee asked for a moment of silence for all military that have served past and present.

Councillor McLaughlin moved approval of the Regular Meeting minutes of 9/11/2023. The motion was adopted by a voice vote and the matter was approved.

Clerk Vizard read Rule 86.

**First Public Hearing: Grant of Location for Eversource Energy at 467 Moody Street.**

Clerk Vizard read the petition. Mary Mulroney, 201 Rivermour Street, West Roxbury, MA, representing the petitioner approached the lectern. Councillor McLaughlin made a motion requesting that Ms. Mulroney not have to read the whole petition. The motion as approved by a voice vote. Ms. Mulroney spoke in favor of the petition. Summit Dutta, 31 Warren Street, Apartment B1, Waltham, MA spoke in a neutral position of the petition. With no one else in support, no one in opposition and no one in a neutral position of the petition President McMenimen closed that part of the public hearing and opened up the hearing to questions from Councillors. Councillors McLaughlin, LeBlanc, LaFauci and Darcy asked questions with Ms. Mulroney providing answers. With no further questions President McMenimen closed the public hearing and referred the matter to the Licenses and Franchises Committee.

**Communications from the Mayor**

1. The Mayor respectfully requested the acceptance of seasonal wreaths from Merrily Smith of Waltham for the Wellington House. Referred to the Finance Committee.
2. The Mayor respectfully requested a transfer in the amount of \$54,795.00 to purchase a new automated gate valve exercising and rehabilitation machine, including and allowance for add-on equipment and accessories for the CPW Department. Referred to the Finance Committee.
3. The Mayor respectfully requested a Final Assessment Order for Nutting Road be approved as to form by the Law Department. Referred to the Public Works and Public Safety Committee.
4. The Mayor respectfully requested acceptance of a framed Honor Roll picture for the Waltham City Hall Museum. Referred to the Finance Committee.

**Applications and Licenses**

All Applications and Licenses referred to the Licenses and Franchises Committee.

- Massport Letter Application — 100J Prospect Street – M&R Limousine

## **Resolutions, Orders and Ordinances**

- **Geothermal Heating Technology Resolution**  
Clerk Vizard read the Resolution. Councillors Vidal, LeBlanc and Harris spoke on the Resolution. President McMenimen referred the matter to the Public Works and Public Safety Committee.
- **Resolution to Restore Embassy Parking Garage**  
Clerk Vizard read the Resolution. Councillor Paz spoke on the Resolution. President McMenimen referred the matter to the Long Term Debt and Capital Planning Committee. Councillor Paz requested to have a written update from the Engineering Department (and any other involved departments) as to the status of repairs and future plans to improve the Embassy parking garage for the next Long Term Debt and Capital Planning Committee. The request was approved by a voice vote.
- **Veterans Parking Resolution**  
Clerk Vizard read the Resolution. Councillors Durkee, Harris, LaFauci and O'Brien spoke on the Resolution. President McMenimen referred the matter to the Veteran Services Committee.

## **Committee Reports**

### **Committee of the Whole**

1. The Committee of the Whole recommended the Resolution – Creating Affordable Housing be referred to the Master Plan Committee. Councillor Bradley-MacArthur asked for a point of information as to when the Master Plan Committee would be meeting. Councillor LeBlanc explained that they were waiting for some information on a matter to be returned and they would not be scheduling a meeting until it was received. Councillor Paz asked when the City-Wide Master Plan Meeting that had been cancelled would be rescheduled. Councillor LeBlanc replied with the same answer. Councillor McLaughlin moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved and sent to the Master Plan Committee.
2. The Committee of the Whole recommended the reappointment of Robert S. Winn of 124 Chaffee Avenue, Waltham, as City Engineer for a three-year term expiring on February 28, 2026 be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll Call required.  
In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.  
Opposed: None.  
Absent: Katz.  
Matter was approved 14-0-1.
3. The Committee of the Whole recommended the reappointment of Bernard E. Mullin Jr. of 22 Hamilton Road, Waltham, as Director of Emergency Management Services for a three-year term expiring February 29, 2025 be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll Call required.  
In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.  
Opposed: None.

Absent: Katz.

Matter was approved 14-0-1.

4. The Committee of the Whole recommended the reappointment of Michael L. J. Chaisson of 25 Circuit Lane, Waltham, as Director of Consolidated Public Works for a three-year term expiring February 28, 2026 be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll Call required.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.

Opposed: None.

Absent: Katz.

Matter was approved 14-0-1.

5. The Committee of the Whole recommended pursuant to Section 24-3 of the City Ordinances the appointment of Angie Doucette, 10 Galen Street, Waltham as a Trustee of the City of Waltham Municipal Affordable Housing Trust Fund be approved. Councillor McLaughlin moved that the action of the Committee be the action of the Council. Roll Call required.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley, Vidal and McMenimen.

Opposed: None.

Absent: Katz.

Matter was approved 14-0-1.

#### **Licenses and Franchises Committee**

1. The Licenses and Franchises Committee recommended the Fuel Storage License for King First West Owner LLC at 55 First Avenue be approved. Councillor Vidal moved to recommit the matter back to the Licenses and Franchises Committee. The motion was adopted by a voice vote and the matter was recommitted.
2. The Licenses and Franchises Committee recommended the Grant of Location for Eversource at 467 Moody Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
3. The Licenses and Franchises Committee recommended the Lodging House renewal for Mad Nat Realty Trust at 10-12 Maple Street be approved. Councillor Vidal moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
4. The Licenses and Franchises Committee recommended the Donald P. Doherty Resolution be approved. Councillor Durkee spoke on the matter. Councillor Vidal moved that the action of the Committee be the action of the Council for approval of the Order. The motion was adopted by a voice vote and the matter was approved. Councillor Vidal moved approval of the Resolution. The motion was adopted by a voice vote and the Resolution was approved.

#### **Ordinances & Rules Committee**

1. The Ordinances and Rules Committee recommended the Tattoo Resolution be sent to the full Council in order to schedule a public hearing with the Board of Survey and Planning be

approved. Councillor Harris moved to recommit the matter back to the Ordinances and Rules Committee. The motion was adopted by a voice vote and the matter was recommitted to the Ordinances and Rules Committee.

2. The Ordinances and Rules Committee recommended the Moody Street Bike Resolution be filed without prejudice. Councillor Harris moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was filed.
3. The Ordinances and Rules Committee recommended the acceptance of a request from the Chief of Police to approve a Special Act allowing Waltham Special Police Officers to continue to work “police details” until they reach the age of 70 be approved. Councillor Harris moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
4. The Ordinances and Rules Committee recommended the Special Permit application for King First West, LLC at 55 First Avenue be approved. Councillor Harris moved to recommit the matter back to the Ordinances and Rules Committee. The motion was adopted by a voice vote and the matter was recommitted to the Committee. Councillor Harris requested to have Attorney Azardi, Engineer Winn and the Director of the CPW Garvin to attend the next Ordinances and Rules Committee to discuss concerns. The motion was approved by a voice vote and the request was approved.

## **Finance**

1. The Finance Committee recommended on behalf of former City Auditor George S. Gallitano and former City Auditor Dennis P. Quinn the acceptance of the following items for display in the City Hall Museum Room: a City of Waltham General Obligation Bond (specimen) dated December 1, 1982 and a City of Waltham Water Bond (Specimen) dated June 1, 1984 be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
2. The Finance Committee recommended the acceptance of a water pressure gage based on atmospheric pressure that was at Engine 7 from Chief Randy Mullin for the City Hall Museum Room be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
3. The Finance Committee recommended the acceptance of a vintage speaker that was in the Mayor’s Office for the City Hall Museum Room be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
4. The Finance Committee recommended the transfer of funds totaling \$55,924.00 for the Building Department for maintenance and repair projects be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
5. The Finance Committee recommended the appropriation in the amount of \$19,333.56 for the purchase of a copier and monitors for the Building Inspection Department be approved.

Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

6. The Finance Committee recommended the acceptance of a photograph of a 1956 Kindergarten Class at the Hardy School donated by Paula and Richard Leeper for the City Hall Museum Room be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
7. The Finance Committee recommended the acceptance of a program from Robert Eagle's first production for the City Hall Museum Room donated by Robert Eagle be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
8. The Finance Committee recommended the transfer of funds totaling \$126,000.00 from the itemized traffic impact accounts to award the design bid of \$198,400.00 for the intersection of Main/Warren/Barbara/Gore be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
9. The Finance Committee recommended the transfer of funds totaling \$40,000.00 from the itemized traffic impact accounts to be used for the installation of a traffic signal mast arm at the intersection of South Street and Bedford Street be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.
10. The Finance Committee recommended the appropriation of \$25,000.00 for the Disability Services Commission to fund handicap projects be approved. Councillor LaCava moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

#### **Public Works and Public Safety Committee**

1. The Public Works and Public Safety Committee recommended the petition from the residents of Caughey Street for permission to have granite curbing and to widen the street be approved. Councillor LeBlanc moved that the action of the Committee be the action of the Council. The motion was adopted by a voice vote and the matter was approved.

#### **Unfinished Business & Other Business**

- Minor Modification to a Special Permit #35694 at 235 Bear Hill Road – Thrive Cultivation and Dispensary. Referred to the Ordinances and Rules Committee.

Councillor Harris made a motion to accept a late filed communication for an Extension of time for King First West, LLC at 55 First Avenue. The motion was approved by a voice vote. Councillor Harris moved to suspend Rule 39 to act on the matter without Committee reference. The motion was approved by a voice vote. Councillor Harris moved for approval. Roll call required.

In favor: Bradley-MacArthur, Darcy, Dunn, Durkee, Harris, LaCava, LaFauci, LeBlanc, McLaughlin, O'Brien, Paz, Stanley and Vidal.

Opposed: None.

Absent: Katz.  
Presiding: McMenimen.  
Matter was approved 13-0-1-1.

With no further matters Councillor LaFauci moved to adjourn. The motion was approved by a voice vote. President McMenimen declared the meeting adjourned at 8:50 p.m.

Respectfully submitted by:  
Cathy Magliarditi  
Executive Assistant to the City Clerk  
October 3, 2023